

April 21, 1975

Compensation Act. It sounds to me like you are striking that out. Now, maybe I am wrong.

SENATOR KELLY: Or maybe this written amendment is wrong, too, because the purpose of it is to leave the District Court just like it is in the Workmen's Compensation function.

SENATOR BARNETT: It don't do that, the way I understand it and you also read it to me. It repeals 48-152 and that is the section that sets up the Workmen's Compensation Court.

SENATOR KELLY: If this would be the case, then I am sure that we have a technical error in the writing of this amendment.

SENATOR BARNETT: The bill is on General File. Why don't you have that amendment checked and then offer it on Select, if it does that, because as I read it, Ralph, that is exactly what it does.

PRESIDENT: Senator Mahoney.

SENATOR MAHONEY: I am sorry, Mr. President, I thought that there were other lights on ahead of me, yet. I had it on on an earlier bill and I...

PRESIDENT: O, all right. Then you do not wish...

SENATOR MAHONEY: I had a question of Senator Kelly on this one, too, and that is why I was late. I thought I had more time. Senator Kelly, are you free?

SENATOR KELLY: Yes sir.

SENATOR MAHONEY: In essence, Senator Kelly, would you explain to me, once more, to give me a little bit better explanation because I am a little thick between the ears. I need one more explanation from you what you are exactly attempting to do.

SENATOR KELLY: Senator Mahoney, the amendment that I requested on this bill would leave the district court function in workmen's compensation cases exactly as it now exists, which is the review of all matters that come out before they go to the Supreme Court. In other words, the Workmen's Compensation court has had its day and then the case, if it is appealed or to be review, it is to be done by the District Court and then moved to the Supreme Court.

SENATOR MAHONEY: Senator Kelly, then my second question to you would be, is this to bypass the Compensation Court, to make it an inferior court.

SENATOR KELLY: Senator Mahoney, the Workmen's compensation procedurer, as I am aware of them, have always been pretty much exactly as they now exist and this bill is a radical change from our current historical procedures in that the Workmen's Compensation Court will provide the function as a state District Court in workmen's compensation matters only and that the result of their work will be reviewed only by the Nebraska Supreme Court.